

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE SUBPOENA TO
JIMMY NGUYEN

Misc. Case No. 2:20-mc-0026 RSL

IRA KLEIMAN, as the personal
representative of the Estate of David
Kleiman, and W&K Info Defense Research,
LLC,

Plaintiffs,

v.

CRAIG WRIGHT,

Defendant.

**DECLARATION OF VELVEL (DEVIN)
FREEDMAN IN SUPPORT OF
PLAINTIFFS' MOTION TO COMPEL
COMPLIANCE WITH SUBPOENA**

NOTE ON MOTION CALENDAR:
April 24, 2020
WITHOUT ORAL ARGUMENT

PLAINTIFFS' MOTION TO COMPEL
COMPLIANCE WITH SUBPOENA
(Misc. Case No. _____)

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DECLARATION

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2 1. I am an attorney for Plaintiffs Ira Kleiman, as the personal representative of the
3 Estate of David Kleiman, and W&K Info Defense Research, LLC (collectively, "Plaintiffs"). I
4 am admitted to practice in the U.S. Supreme Court, Florida, District of Columbia, U.S. Courts of
5 Appeals for the Ninth and Eleventh Circuits, and all U.S. District Courts in Florida.

6 2. I am over the age of eighteen. The statements in this declaration are based on my
7 personal knowledge and they are true and accurate to the best of my knowledge and belief. I
8 make this declaration in support of Plaintiffs' Motion to Compel Compliance with Subpoena,
9 filed contemporaneously with this declaration.

10 3. Attached hereto as Exhibit 1 is a true and correct copy of the Order on Plaintiffs'
11 Motion to Compel, *Ira Kleiman et al. v. Craig Wright*, No. 9:18-cv-80176-BB (S.D. Fla. Aug.
12 27, 2019), ECF No. 277.

13 4. Attached hereto as Exhibit 2 is a true and correct copy of the Order affirming in
14 part and reversing in part the Order on Plaintiffs' Motion to Compel, *Ira Kleiman et al. v. Craig*
15 *Wright*, No. 9:18-cv-80176-BB (S.D. Fla. Jan. 10, 2020), ECF No. 373.

16 5. Attached hereto as Exhibit 3 is a true and correct copy of the Order granting in
17 part Plaintiffs' Motion for Ninety Day Extension of Pretrial Deadlines and for Continuance of
18 Trial Date, *Ira Kleiman et al. v. Craig Wright*, No. 9:18-cv-80176-BB (S.D. Fla. Jan. 16, 2020),
19 ECF No. 382.

20 6. Attached hereto as Exhibit 4 is a true and correct copy of the document subpoena
21 directed to Mr. Nguyen.
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7. Attached hereto as Exhibit 5 is a true and correct copy of the deposition subpoena directed to Mr. Nguyen. This subpoena, along with the document subpoena referenced in the preceding paragraph, are referred to as the “Subpoenas” below.

8. Attached hereto as Exhibit 6 is a true and correct copy of the Declaration of Attempted Service of Process on Jimmy Nguyen, which was provided to Plaintiffs on March 11.

9. Attached hereto as Exhibit 7 is a true and correct copy of the Joint Discovery Status Report, *Ira Kleiman et al. v. Craig Wright*, No. 9:18-cv-80176-BB (S.D. Fla. Mar. 2, 2020), ECF No. 411.

10. Attached hereto as Exhibit 8 is a true and correct copy of Plaintiffs’ counsel’s March 10, 2020, email serving the Subpoenas on Mr. Nguyen. Mr. Nguyen had previously used the same email address to communicate with Plaintiffs’ counsel as recently as October 23, 2019.

11. Attached hereto as Exhibit 9 is a true and correct copy of Plaintiffs’ Expedited Motion for Enlargement of Time of Expert Related Deadlines and for Extension of Time to Complete Three Fact Witness Depositions, *Ira Kleiman et al. v. Craig Wright*, No. 9:18-cv-80176-BB (S.D. Fla. Mar. 24, 2020), ECF No. 436.

12. Attached hereto as Exhibit 10 is a true and correct copy of the Order Amending Scheduling Order, *Ira Kleiman et al. v. Craig Wright*, No. 9:18-cv-80176-BB (S.D. Fla. Mar. 26, 2020), ECF No. 441.

13. Attached hereto as Exhibit 11 is a true and correct copy of the certified mail delivery receipt showing delivery of the Subpoenas to Mr. Nguyen’s last known address.

14. Attached hereto as Exhibit 12 is a true and correct copy of Plaintiffs’ counsel’s March 29, 2020, tweet serving the Subpoenas on Mr. Nguyen.

1 15. Attached hereto as Exhibit 13 is a true and correct copy of the Twitter Analytics
2 page for the tweet referenced in the preceding paragraph.

3 16. Attached hereto as Exhibit 14 is a true and correct copy of tweets and photographs
4 from Mr. Nguyen's Twitter feed.

5 I declare the foregoing statements to be true under the penalties of perjury under the laws
6 of the United States.

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8 Dated: April 6, 2020

/s/ Velvel (Devin) Freedman

Velvel (Devin) Freedman, Esq.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 6, 2020, I sent or caused to be sent the foregoing document to Mr. Nguyen via email at j.nguyen@nchain.com and Twitter, @jimmywinmedia, and to counsel for Defendant in the underlying action, Amanda McGovern, at amcgovern@riveromestre.com. I further certify that, on April 7, 2020, I will send or cause to be sent the foregoing document to Mr. Nguyen via regular U.S. mail and certified mail, return receipt requested, at 211 13th Ave. E, Apt. B, Seattle, WA 98102.

/s/ Velvel Freedman

VELVEL (DEVIN) FREEDMAN